

RESOLUTION NUMBER R- 307704

DATE OF FINAL PASSAGE OCT 02 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO APPROVING A TENTATIVE AGREEMENT  
BETWEEN THE CITY AND CERTAIN RECOGNIZED  
EMPLOYEE ORGANIZATIONS REGARDING  
ESTABLISHMENT OF AN INTERIM DEFINED  
CONTRIBUTION RETIREMENT PLAN FOR EMPLOYEES  
HIRED ON OR AFTER JULY 20, 2012.

WHEREAS, on June 5, 2012, City of San Diego (City) voters approved Proposition B, a citizens' initiative to amend the San Diego Charter (Charter), known as "Comprehensive Pension Reform for San Diego" (Proposition B); and

WHEREAS, the Charter amendments enacted by Proposition B became effective on July 20, 2012, when the amendments were filed and chaptered by the Secretary of State for the State of California; and

WHEREAS, Proposition B amends Articles VII (entitled "Finance") and IX (entitled "The Retirement of Employees") of the Charter related to retirement benefits of City employees; and

WHEREAS, among other things, Proposition B adds sections 140, 150 and 151 to Article IX of the Charter; and

WHEREAS, Charter section 140 states that, except for sworn police officers, all officers and employees, who are initially hired or assume office on or after the date the Charter amendment goes into effect are ineligible to participate in the City's defined benefit plan, and may participate only in a defined contribution plan (or plans); and

WHEREAS, Charter section 150 authorizes the Council of the City of San Diego (Council) to establish “by ordinance” a defined contribution plan consistent with the terms of section 150; and

WHEREAS, before the City may establish a defined contribution plan for future employees who will be represented by one of the City’s recognized employee organizations, it must first negotiate the terms of the plan with the affected employee organizations in accordance with the Meyers-Milias-Brown-Act (MMBA); and

WHEREAS, from July 25, 2012 until September 5, 2012, the City negotiated with the following recognized employee organizations regarding the establishment of a defined contribution plan for future employees: San Diego Municipal Employees’ Association; San Diego City Firefighters, International Association of Fire Fighters Local 145; Local 127, American Federation of State, County and Municipal Employees, AFL-CIO; the International Brotherhood of Teamsters, Local 911; and the Deputy City Attorneys Association (collectively, the Coalition); and

WHEREAS, the City has reached agreement with the Coalition concerning the terms of an interim defined contribution plan for employees initially hired on or after July 20, 2012, as memorialized in the “FY 2013 Proposition B Implementation Negotiations Tentative Agreement” (Tentative Agreement); and

WHEREAS, the Tentative Agreement is subject to approval by the Council, as provided by the MMBA, specifically California Government Code section 3505.1, and San Diego Council Policy 300-06; and

WHEREAS, the Council wishes to approve the terms of the Tentative Agreement; and


WHEREAS, the City's Management Team continues to meet and confer with Coalition representatives over the terms of a permanent defined contribution plan for future employees ineligible to participate in the City's defined benefit plan; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that, pursuant to the authority of the MMBA and Council Policy 300-06, the Council approves the Tentative Agreement between the City and the Coalition, which is on file in the Office of the City Clerk as Document No. RR- 307704.

BE IT FURTHER RESOLVED that the Council directs the City's Management Team to negotiate the terms of a permanent defined contribution plan with representatives of the Coalition, and to present the permanent defined contribution plan to the Council at a later date for final determination.

APPROVED: JAN I. GOLDSMITH, City Attorney

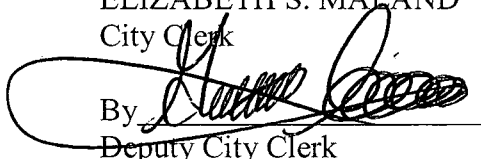
By

  
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Roxanne Story Parks  
Deputy City Attorney

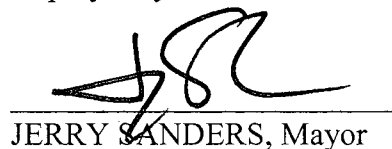
RSP:mr  
9/19/2012  
Or.Dept:Human Resources  
Doc. No. 440428

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 10/1/2012.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 10-2-12  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

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JERRY SANDERS, Mayor